

ASSEMBLY BILL

No. 742

Introduced by Assembly Member Nestande

February 17, 2011

An act to amend Section 12012.85 of the Government Code, relating to the Indian Gaming Special Distribution Fund.

LEGISLATIVE COUNSEL'S DIGEST

AB 742, as introduced, Nestande. The Indian Gaming Special Distribution Fund.

Existing law establishes the Indian Gaming Special Distribution Fund in the State Treasury for the receipt and deposit of moneys received by the state from Indian tribes. These moneys are available for appropriation by the Legislature for specified purposes.

This bill would make a technical, nonsubstantive change to that provision.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 12012.85 of the Government Code is
2 amended to read:
3 12012.85. There is hereby created in the State Treasury a fund
4 called the "Indian Gaming Special Distribution Fund" for the
5 receipt and deposit of moneys received by the state from Indian
6 tribes pursuant to the terms of tribal-state gaming compacts. ~~These~~
7 ~~moneys~~ *Money in the Indian Gaming Special Distribution Fund*

1 shall be available for appropriation by the Legislature for the
2 following purposes:

3 (a) Grants, including any administrative costs, for programs
4 designed to address gambling addiction.

5 (b) Grants, including any administrative costs, for the support
6 of state and local government agencies impacted by tribal
7 government gaming.

8 (c) Compensation for regulatory costs incurred by the State
9 Gaming Agency and the Department of Justice in connection with
10 the implementation and administration of tribal-state gaming
11 compacts.

12 (d) Payment of shortfalls that may occur in the Indian Gaming
13 Revenue Sharing Trust Fund. This shall be the priority use of
14 moneys in the Indian Gaming Special Distribution Fund.

15 (e) Disbursements for the purpose of implementing the terms
16 of tribal labor relations ordinances promulgated in accordance with
17 the terms of tribal-state gaming compacts ratified pursuant to
18 Chapter 874 of the Statutes of 1999. No more than 10 percent of
19 the funds appropriated in the Budget Act of 2000 for
20 implementation of tribal labor relations ordinances promulgated
21 in accordance with those compacts shall be expended in the
22 selection of the Tribal Labor Panel. The Department of Personnel
23 Administration shall consult with and seek input from the parties
24 prior to any expenditure for purposes of selecting the Tribal Labor
25 Panel. Other than the cost of selecting the Tribal Labor Panel, there
26 shall be no further disbursements until the Tribal Labor Panel,
27 which is selected by mutual agreement of the parties, is in place.

28 (f) Any other purpose specified by law.

29 (g) Priority for funding from the Indian Gaming Special
30 Distribution Fund is in the following descending order:

31 (1) An appropriation to the Indian Gaming Revenue Sharing
32 Trust Fund in an aggregate amount sufficient to make payments
33 of any shortfalls that may occur in the Indian Gaming Revenue
34 Sharing Trust Fund.

35 (2) An appropriation to the Office of Problem and Pathological
36 Gambling within the State Department of Alcohol and Drug
37 Programs for problem gambling prevention programs.

38 (3) The amount appropriated in the annual Budget Act for
39 allocation between the Department of Justice and the California

- 1 Gambling Control Commission for regulatory functions that
- 2 directly relates to Indian gaming.
- 3 (4) An appropriation for the support of local government
- 4 agencies impacted by tribal gaming.

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